

Entered - 12/28/09 - sb  
CL 09L1035 - LISA CARTER

10- R -0342

CLAIM OF: JANICE BOYD NEAL  
207 North 4<sup>th</sup> Street  
Opelika, AL 36801


For damages alleged to have been sustained as a result of an automobile accident on July 17, 2009 on I-20 Eastbound.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to JANICE BOYD NEAL the sum of \$3,245.25 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of an automobile accident on July 17, 2009 on I-20 Eastbound as is more particularly set forth in the within claim; said sum taken from and charged to account 1001.200101.5212005.1512000.

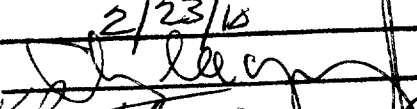
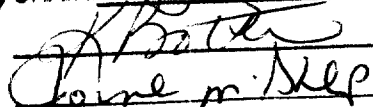
MAR 01 2010

APPROVED: ROGER BHANDARI  
ACTING CITY ATTORNEY

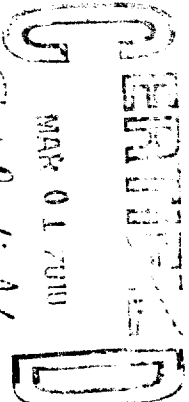
BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

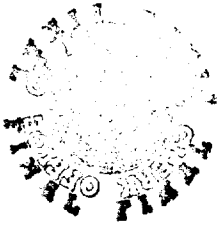
## FAVORABLE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/23/10  
CHAIR:   
  
J. L. DeLoach  
yaduan  
H. J. [Signature]  
\_\_\_\_\_  
\_\_\_\_\_

ADOPTED BY  
MAR 01 2010  
COUNCIL

  
MAR 01 2010  
City of Atlanta



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**10-R-0342**

**A RESOLUTION**

**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **Janice Boyd Neal** the sum of \$ **\$3,245.25** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of **an automobile accident on July 17, 2009 on I-20 Eastbound** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1001/200101/5212005/1512000**.

A true copy,

Deputy Clerk

**ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed**

**MAR 01, 2010  
MAR 09, 2010**

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L1035

Date: January 27, 2010

Claimant /Victim JANICE BOYD NEAL

BY:(Atty)(Ins.Co.)

Address: 207 North 4<sup>th</sup> Street Opelika, AL 36801

Subrogation:            Claim for Property damage \$ 4,082.56 Bodily Injury \$           

Date of Notice: 12/18/09 Method: Written, proper X Improper           

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/17/09 Place: I-20 Eastbound

Department Police Services Bureau:            Office:           

Employee involved Nicholas DiMauro Disciplinary Action: Pending

NATURE OF CLAIM: The driver of a city vehicle struck the claimant's vehicle while pursuing a stolen vehicle on I-20 Eastbound causing damages in the above amount.

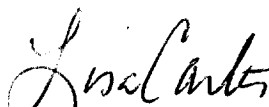
### INVESTIGATION:

Statements: City employee            Claimant            Others            Written            Oral             
Pictures X Diagrams            Reports: Police X Dept Report            Other             
Traffic citations issued: City Driver            Claimant Driver             
Citation disposition: City Driver            Claimant Driver           

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial             
Improper Notice            More than Six Months            Other            Damages reasonable             
City not involved            Offer rejected            Compromise settlement             
Repair/replacement by Ins. Co.            Repair/replacement by City Forces             
Claimant Negligent            City Negligent X Joint            Claim Abandoned           

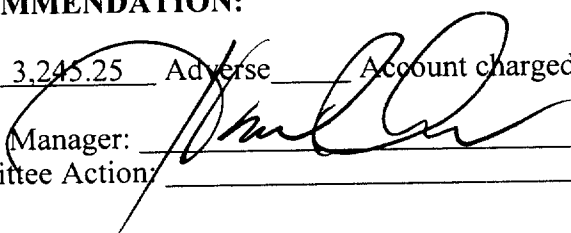
Respectfully submitted,



INVESTIGATOR - LISA CARTER

### RECOMMENDATION:

Pay \$ 3,245.25 Adverse            Account charged: General Fund X Water & Sewer            Aviation           

Claims Manager:  Concur/date 02/08/10  
Committee Action:            Council Action

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, SW  
Atlanta, Georgia 30303

RE: CLAIM FOR DAMAGES

Today's Date: 12/14/09

*CARTER*  
*12/22/09*  
*[Signature]*

ENTERED - 12-28-09 - SB  
09L1035 - L. CARTER

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 4082.56 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 7/17/09 2. Time of incident: 4:33 pm 3. Police called: police hit me

4. Location of incident (including street address): I-20 East; 2 mi E of GA 139

5. Name of your insurance company: Cotton States Policy No. G01A7112365

6. State what and how incident occurred: I stopped on I-20 to keep from hitting a car that hit the median (hijacked vehicle). Police officer Nicholas Dimauro (City of Atlanta) hit me as he wedged his vehicle between the median wall and my car stopped in the inside lane. Photos attached and estimates.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.

Your vehicle: Honda 2007 31A1W Janice Boyd Neal  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Ford Nicholas Dimauro City of Atlanta  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Sgt. Warren Pinkard

10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. Claims must be received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE  
ABOVE INFORMATION IS TRUE AND  
CORRECT.

*Janice B. Neal*  
Signature of Claimant

Janice Boyd Neal  
(Print Claimant's Name)

207 N. 4th Street  
(Address)

Opelika, AL 36801  
(City, State and Zip Code)

334-745-2779 334-559-5575  
(Work Number) (Home Number)

10- R -0342

RCS# 99  
3/01/10  
2:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 2  
ABSENT 0

Y Smith	NV Archibong	Y Moore	E Bond
E Hall	Y Wan	NV Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		03-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 10-O-0275 2. 10-O-0276 3. 10-O-0277 4. 10-O-0278 5. 10-O-0279 6. 10-O-0289 7. 10-O-0290 8. 10-O-0291 9. 10-O-0292 10. 10-O-0293 11. 10-O-0294 12. 10-O-0296 13. 10-O-0241 14. 10-O-0307 15. 10-R-0334 16. 10-R-0335 17. 10-R-0390 19. 10-R-0395 20. 10-R-0407 21. 10-R-0411 22. 10-R-0394 23. 10-R-0396 24. 10-R-0338 25. 10-R-0339 26. 10-R-0340 27. 10-R-0341 28. 10-R-0342 29. 10-R-0343 30. 10-R-0344 31. 10-R-0345 32. 10-R-0346 33. 10-R-0347 34. 10-R-0348 35. 10-R-0349	36. 10-R-0350 37. 10-R-0351 38. 10-R-0352 39. 10-R-0353 40. 10-R-0354 41. 10-R-0355	42. 10-R-0356 43. 10-R-0357 44. 10-R-0358 45. 10-R-0359 46. 10-R-0360 47. 10-R-0361 48. 10-R-0362 49. 10-R-0363 50. 10-R-0364 51. 10-R-0365 52. 10-R-0366 53. 10-R-0367 54. 10-R-0368 55. 10-R-0369 56. 10-R-0370 57. 10-R-0371 58. 10-R-0372 59. 10-R-0373 60. 10-R-0374 61. 10-R-0375 62. 10-R-0376 63. 10-R-0377 64. 10-R-0378 65. 10-R-0379 66. 10-R-0380 67. 10-R-0381 68. 10-R-0382 69. 10-R-0383 70. 10-R-0384 71. 10-R-0385